

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

III. Amendments to the Drawings

The attached sheet of drawings includes changes to Figure 6 and replaces prior sheet number 2/2.



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- 5 -

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

V. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 2-5 remain pending.

Drawing Amendments

Figure 6 of the drawings has been amended to correct the features to which the lead lines of reference numbers 1 and 3 are directed. It is respectfully submitted that no new matter has been added.

Drawing Objections

The Examiner objects to the drawings under 37 C.F.R. § 1.83(a) because they fail to show the mechanical structure or arrangement of the pivot and actuation points enabling rotation of the low and high beam light chambers as described in the specification.

Pursuant to 37 C.F.R. § 1.83(a), a detailed illustration is not needed where it is not essential for a proper understanding of the invention. Applicants respectfully submit that mechanical structures used to pivot other structures are conventional and common place. Furthermore, a person of ordinary skill in the art would easily recognize that various pivot structures and actuation points are possible and that such features may be arranged in a number of ways depending on the actual design of the headlamp assembly to enable rotation of the low and high beam chambers 1 and 3. Accordingly, a detailed illustration is not essential for a proper understanding of the present invention. Finally, the vertical and horizontal adjusting members 5 and

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- 7 -

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

6 shown in Figure 7 constitute a labeled representation of these features in compliance with 37 C.F.R. § 1.83(a). Therefore, it is submitted the objection is not warranted and should be withdrawn.

Claim Objections and Rejections - 35 U.S.C. § 112

Claim 4 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 4 has been amended to specifically recite that the headlamp includes a halogen light source and that the halogen light source is switched on after the high light operation mode is switched on. Accordingly, it is believed that this rejection is now moot and should be withdrawn.

The Examiner objected to claim 5 stating that the limitation "the halogen lamp" lacks sufficient antecedent basis. Accordingly, claim 5 has been amended to depend from claim 4, establishing sufficient antecedent basis.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-3 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Pub. No. 2002/0097585, to Mochizuki et al. ("Mochizuki"). Applicant respectfully traverses this rejection.

As noted by the Examiner, Mochizuki discloses a vehicle headlamp having a main reflector 13 forming a low beam and a sub-reflector 19, *See* Mochizuki at paragraph [0035] and FIG. 1. Two aiming screws 11 are configured for concurrent vertical and horizontal *manual* adjustment of the main reflector 13 and the sub-reflector 19. *Id.* at paragraph [0034] and FIG. 2. In addition, the headlamp of

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- 8 -

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

Mochizuki includes a drive portion 23 coupled to the sub-reflector 19 for independent *horizontal* adjustment of the sub-reflector 19. See *Id.* at paragraph [0043] and FIG. 2. From this, it is submitted that Mochizuki fails to disclose a vehicle headlamp comprising a low beam light chamber and a high beam light chamber both being *vertically* adjusted by means of a vertical adjusting action member that is part of an *automatic* adjusting system. The rejection based thereon should be accordingly withdrawn.

Claim Rejections - 35 U.S.C. §103(a)

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2002/0097585, to Mochizuki et al. ("Mochizuki"). Applicant respectfully traverses this rejection.

Since claim 4 depends from claim 2, which has been shown to be allowable, it is respectfully submitted that claim 4 is likewise allowable for at least the same reasons as claim 2.

Additionally and as discussed above, Mochizuki discloses a drive portion 23 coupled to a sub-reflector 19 for *horizontal* adjustment of the sub-reflector 19 independent from the main reflector 13. See Mochizuki at paragraph [0084] and FIG. 2. Mochizuki fails to disclose or suggest a vertical adjusting action member that is part of an automatic adjusting system *vertically* adjusting both a low beam light chamber and a high beam light chamber.

In that Mochizuki fails to disclose or suggest the above features, it must be concluded that Mochizuki cannot render claim 4 of the present application as obvious. The rejection under § 103 should therefore be withdrawn.

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- 9 -

Appl. No. 10/820,913

Attorney Docket No. 10541-2028

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

6/2/06
Date

Respectfully submitted,


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Attachments: (1) Replacement Sheet of Drawings



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- 10 -